

-
2. A mat as defined in claim 1 wherein the core is approximaely 1/4 " in thickness.
3. A mat as defined in claim 2, wherein the cover material is imitation leather.
- 3 4. A mat as defined in claim 3 wherein the imitation leather includes a knit cloth and there is an adhesive-bonded and chemical fabric forming a base material which is coated with PVC after it is pressed and foamed.
5. A mat as defined in claim 4 which is sufficiently wide for two persons to walk on the mat side by side at the same time.
-

REMARKS

The Office Action of August 7, 2002 has been reviewed and this is a substitute response to that action (as well as a response to the Office letter of December 23, 2002).

The specification has been amended without adding any new matter.

Claim 1 has been amended to avoid the rejection based upon 35 USC 112, second paragraph, and a further claims have been added. Amended claim 1 is presented as a clean copy, and the Claim Attachment hereto shows the changes which have been made.

Claims 2-4 have been added to provide applicant with the protection to which he believes he is entitled.

Claim 1 has been rejected under 35 USC 103(a) as being unpatentable over Juneau either individually or in view of Sonoda. The claims recite the cover material

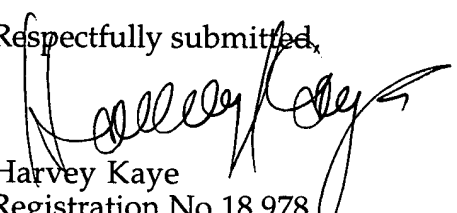
as being sealed to provide a water-proof, air tight mat. Admittedly Juneau does not disclose such a structure. Throughout his specification Juneau emphasizes that his floor covering is of two layers of material forming a top sheet and a backing sheet. The backing sheet must be at least three times the thickness of the top sheet.

Sonoda describes a stair tread formed of a synthetic rubber which encases a metal core. This is completely inconsistent with the backing sheet of Juneau and therefore it would not be obvious to combine the alleged teachings as suggested in the Office action. The two references are incompatible in that the core of Sonoda is of steel whereas Juneau uses a backing sheet which deforms under the force of a small load.

Therefore it is believed the claims are patentable over the references used in the rejection.

A request for an extension of time for one month was attached to the response mailed on December 9 and received on December 16, 2002, so that the filing of that response was timely, since December 7, 2002 was a Saturday.

Respectfully submitted,


Harvey Kaye
Registration No 18,978
Counsel for Applicant

Perkins, Smith & Cohen, LLP
One Federal Street
Boston, Massachusetts 02110

Tel: (202) 785-0773

Date: January 23, 2003

Claim Attachment

1. (amended) An icebreaker mat comprising:

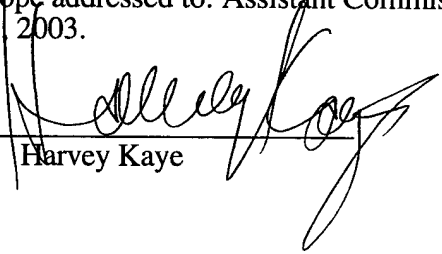
(A) [a product made of] a slip-resistant, non-adhering, water-proof cover material, which contains a flexible core [substance of styrofoam, foam, or other] material [suitable to provide the same results. Sealed], said cover material being sealed so as to provide a water-proof, air tight, flexible stair mat, [pad or stair tread attachment.] ;

(B) [once assembled and sealed into one unit, the icebreaker] said mat [will provide] providing a safe and convenient method of eliminating ice from exterior stairs and open walking areas of a porch or landing.

[(C) although the icebreaker mat has an overall size of 9"X 36"X1/4", and is set at that dimension so as to provide walking space for two persons, side by side, it is not limited to that size, for it could be produced shorter, or longer if the need should arise. Therefore the icebreaker mat is not limited to the size in which it is being presented.]

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in a postage prepaid envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on January 23, 2003.



Harvey Kaye